

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

MICCOSUKEE TRIBE OF
INDIANS OF FLORIDA,

Plaintiff,

v.

Case No.: 1:22-cv-22459-KMM

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY and UNITED
STATES OF AMERICA,

Defendants

and

STATE OF FLORIDA,

Defendant-Intervenor.

JOINT SCHEDULING REPORT

Pursuant to the Court's Order of October 16, 2022, the Parties hereby submit this joint scheduling report. Counsel for Plaintiff, Defendants, and Intervenor met by video conference on October 3, 2022, and November 4, 2022. Counsel discussed the items listed in the agenda provided in the Court's Order of August 8, 2022. ECF No. 6. Without conceding that the complaint has been properly served or waiving any right to file dispositive motions in response to the complaint, with regard to the first two agenda items (Documents and List of Witnesses), counsel discussed that should the litigation reach the merits of the complaint, such review is expected to be based on the administrative record. Consistent with the third agenda item (Discussions and Deadlines),

counsel discussed the nature of the claims and the possibility of a prompt settlement or resolution of the case during both meetings, and agreed to further discuss the possibility of settlement or resolution.

Plaintiff's counsel has conferred with counsel for the Defendants and Intervenor regarding this Report. Counsel for the Federal Defendants and counsel for Intervenor both represented that the report accurately summarizes the Parties' discussions. .

Date: November 15, 2022

Respectfully submitted,

/s/ George B. Abney

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